

RECEIVED
CENTRAL FAX CENTER

SEP 15 2004

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 I hereby certify that this correspondence, totaling 3 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-6908 (Central number) on the below date: Date: <u>9-15-04</u> Name: <u>Shirley Cooney</u> Signature: <u>Shirley Cooney</u>	
--	--

 BRINKS
 HOFER
 GILSON
 & LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Norbert Ehmer et al.
 Appln. No.: 09/914,807
 Filed: February 19, 2002
 For: Method For Controlling A Vehicle

Examiner: Olga Hernandez
 Art Unit: 3661

Attorney Docket No: 10543-028

Mail Stop After Final
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Statement of Substance of Interview
☐ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x \$3=			x \$88=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
Total					\$		Total		\$

Fee payment:

- ☐ A check in the amount of \$_____ to cover the above-identified fee(s) is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

9/15/04
 Date

Respectfully submitted,

Michael N. Sprink
 Michael N. Sprink (Reg. No. 47,107)

RECEIVED
CENTRAL FAX CENTER

SEP 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Norbert Ehmer et al.
Appln. No.: 09/914,807
Filed: February 19, 2002
For: Method For Controlling A Vehicle
Attorney Docket No: 10543-028

Examiner: Olga Hernandez
Art Unit: 3661

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

REMARKS

The Applicants would like to thank the Examiner for conducting an interview on September 14, 2004. In the interview, the Applicants discussed the outstanding rejections of the independent claims over the Henry reference (U.S. Pat. No. 3,707,298) and the Howes reference (U.S. Pat. No. 5,373,447).

The Examiner agreed that the rejection of claims over the Henry reference should not be maintained, but initially asserted that all the claims could be rejected under the Howes reference.

The undersigned and the Examiner discussed the Howes reference and in particular that the Howes reference does not identify when two diagonally opposite wheels have lost sufficient traction with the ground. Simply comparing the speeds of two diagonally opposite wheels is insufficient to identify this condition, nor is any such steps suggested by the Howes reference which would detect the diagonal axis twist condition. In fact, Howes is exclusively directed to a disadvantage which occurs when cornering on a surface of high coefficient of friction which results in weight transfer and a difference in slip values between the inner and outer wheels.

Serial No. 09/914,807

Attorney Cocket No. 10543-028

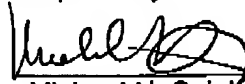
Thus, the Howes reference does not even contemplate a situation where diagonally opposite wheels would loose sufficient traction with the ground.

In summary, the Examiner agreed to withdraw the current Office Action in favor of a new action. In the event the Applicants have not received a new Office Action by October 6, 2004, the undersigned will contact the Examiner to make sure a new action has been sent.

9/15/04

Date

Respectfully submitted,

Michael N. Spink (Reg. No. 47,107)